

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

INTELLECTUAL VENTURES I LLC and	)	
INTELLECTUAL VENTURES II LLC,	)	Civil Action No. 1:14-cv-00220-MRH
	)	
Plaintiffs,	)	U.S. District Judge Mark R. Hornak
	)	
v.	)	<b><u>ELECTRONICALLY FILED</u></b>
	)	
ERIE FAMILY LIFE INSURANCE COMPANY;	)	
ERIE INDEMNITY COMPANY;	)	
ERIE INSURANCE COMPANY;	)	
ERIE INSURANCE EXCHANGE;	)	
ERIE INSURANCE PROPERTY & CASUALTY	)	
COMPANY; and	)	
FLAGSHIP CITY INSURANCE COMPANY,	)	

Defendants.

**DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' COMPLAINT**<sup>1</sup>

NOW COME Defendants Erie Indemnity Company, Erie Insurance Exchange, Erie Insurance Property & Casualty Company, Erie Insurance Company, Flagship City Insurance Company, and Erie Family Life Insurance Company (collectively, "Defendants"), and move this Honorable Court to dismiss Plaintiffs Intellectual Ventures I LLC's and Intellectual Ventures II LLC's (collectively, "Plaintiffs") infringement claims under 35 U.S.C. § 101 with respect to U.S. Patent Nos. 6,510,434 and 6,519,581 and invalidate all claims of those patents.

Defendants also move this Honorable Court to dismiss all Plaintiffs' direct and indirect infringement claims under Federal Rule of Civil Procedure 12(b)(6) for failing to state a proper claim, or in the alternative, require Plaintiffs to provide a more definite statement with respect to these claims pursuant to Federal Rule of Civil Procedure 12(e). Defendants offer as support for this motion the attached Memorandum of Law.

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<sup>1</sup> Identical motions have been filed on the same date under separate captions in *Intellectual Ventures I LLC v. Highmark Inc.*, No. 2:14-cv-01131 (W.D. Pa.) ("Highmark Matter") and *Intellectual Ventures I LLC v. Erie Indemnity Co.*, No. 1:14-cv-00220 (W.D. Pa.) ("Erie Matter").

Dated: November 5, 2014

Respectfully submitted,

By: /s/ Gregory H. Lantier

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Company, Erie Insurance Exchange, Erie  
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Erie Insurance Company, Flagship City  
Insurance Company, and Erie Family Life  
Insurance Company*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion to Dismiss was electronically filed and served via the Court's ECF system on this 5th day of November, 2014.

/s/ Gregory H. Lantier  
Gregory H. Lantier